

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Stephen J. Mordfin, AICP, Case Manager
Joel Lawson, Associate Director Development Review

DATE: October 16, 2012

SUBJECT: BZA Case 18457- expedited request pursuant to DCMR 11 § 3118 for special exception relief under § 223 to construct an addition to an existing one-family detached dwelling at 3500 McKinley Street, N.W.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following special exception relief pursuant to § 223:

- § 405 (8 feet required, 1.6 existing and proposed).

OP notes that the existing lot is nonconforming for lot area and lot width, neither of which are impacted by this proposal.

II. LOCATION AND SITE DESCRIPTION

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|----------------------|--|
| Address | 3500 McKinley Street, N.W. |
| Legal Description | Square 1996, Lot 814 |
| Ward | 3 |
| Lot Characteristics | Rectangular lot with rear alley access |
| Zoning | R-1-B – one-family detached dwellings |
| Existing Development | One-family detached dwelling, permitted in this zone |
| Adjacent Properties | One-family detached dwellings |

III. PROJECT DESCRIPTION IN BRIEF

| | |
|---------------|--|
| Applicant | Beth Van Hanswyk and Stephen D. McCreary |
| Proposal | Two-story with basement rear addition |
| Relief Sought | § 223 - Additions to One-Family Dwellings or Flats |

IV. ZONING REQUIREMENTS

| R-1-B Zone | Regulation | Existing | Proposed | Relief |
|------------------------|-----------------|-----------|-----------|------------------------|
| Height § 400 | 40-foot max. | 22 feet | 22 feet | Existing nonconforming |
| Lot Width § 401 | 50-foot min. | 40 feet | 40 feet | Existing nonconforming |
| Lot Area § 401 | 5,000 SF min. | 5,200 SF | 5,200 SF | None required |
| Floor Area Ratio § 402 | None prescribed | -- | -- | None required |
| Lot Occupancy § 403 | 40% max. | 27% | 32% | None required |
| Rear Yard § 404 | 25-foot min. | 47.3 feet | 38.8 feet | None required |
| Side Yard § 405 | 8-foot min. | 1.6 feet | 1.6 feet | Required |

V. OP ANALYSIS

223 ZONING RELIEF FOR ADDITIONS TO ONE-FAMILY DWELLINGS OR FLATS (R-1) AND FOR NEW OR ENLARGED ACCESSORY STRUCTURES

223.1 An addition to a one-family dwelling or flat, in those Residence districts where a flat is permitted, or a new or enlarged accessory structure on the same lot as a one-family dwelling or flat, shall be permitted even though the addition or accessory structure does not comply with all of the requirements of §§ 401, 403, 404, 405, 406, and 2001.3 shall be permitted as a special exception if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of this section.

One-family detached dwellings are a permitted use in this zone. The applicants are requesting special exception relief under § 223 from the requirements of § 405.

223.2 The addition or accessory structure shall not have a substantially adverse affect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:

(a) The light and air available to neighboring properties shall not be unduly affected;

Light and air would not be unduly affected. The proposed addition would be set back farther from the side lot line than the existing structure and the screened porch it is intended to replace, with the result that the side yard would increase from three to five feet at the southwest corner of the lot.

(b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;

Privacy and use and enjoyment of neighboring properties would not be unduly compromised. The proposed addition would increase the width of the side yard at the rear of the dwelling, increasing the distance between the proposed addition and the rear yard of the adjoining dwelling to the west. The addition would conform to all other yard requirements.

(c) The addition or accessory structure, together with the original building, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage; and

As viewed from the alley, the addition would be designed to be similar to the existing dwelling, with similar windows and facade treatment.

(d) In demonstrating compliance with paragraphs (a), (b) and (c) of this subsection, the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed addition or accessory structure to adjacent buildings and views from public ways.

The application included plans, photographs and elevations sufficient to represent the relationship of the proposed addition to adjacent buildings and views from public ways.

223.3 *The lot occupancy of all new and existing structures on the lot shall not exceed fifty percent (50%) in the R-1 and R-2 Districts or seventy percent (70%) in the R-3, R-4, and R-5 Districts.*

The proposed lot occupancy is 32 percent, less than the maximum 50 percent permitted in the R-1-B district.

223.4 *The Board may require special treatment in the way of design, screening, exterior or interior lighting, building materials, or other features for the protection of adjacent and nearby properties.*

The Office of Planning makes no recommendations for special treatment.

223.5 *This section may not be used to permit the introduction or expansion of a nonconforming use as a special exception.*

The subject application would not result in the introduction or expansion of a nonconforming use.

VI. COMMUNITY COMMENTS

ANC 3G, at its regularly scheduled meeting of September 10, 2012, voted to support the application.

Attachment: Map

